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EXHIBIT 8  
DATE 2-3-2011  
HB \_\_\_\_\_

January 13, 2011

MEMORANDUM

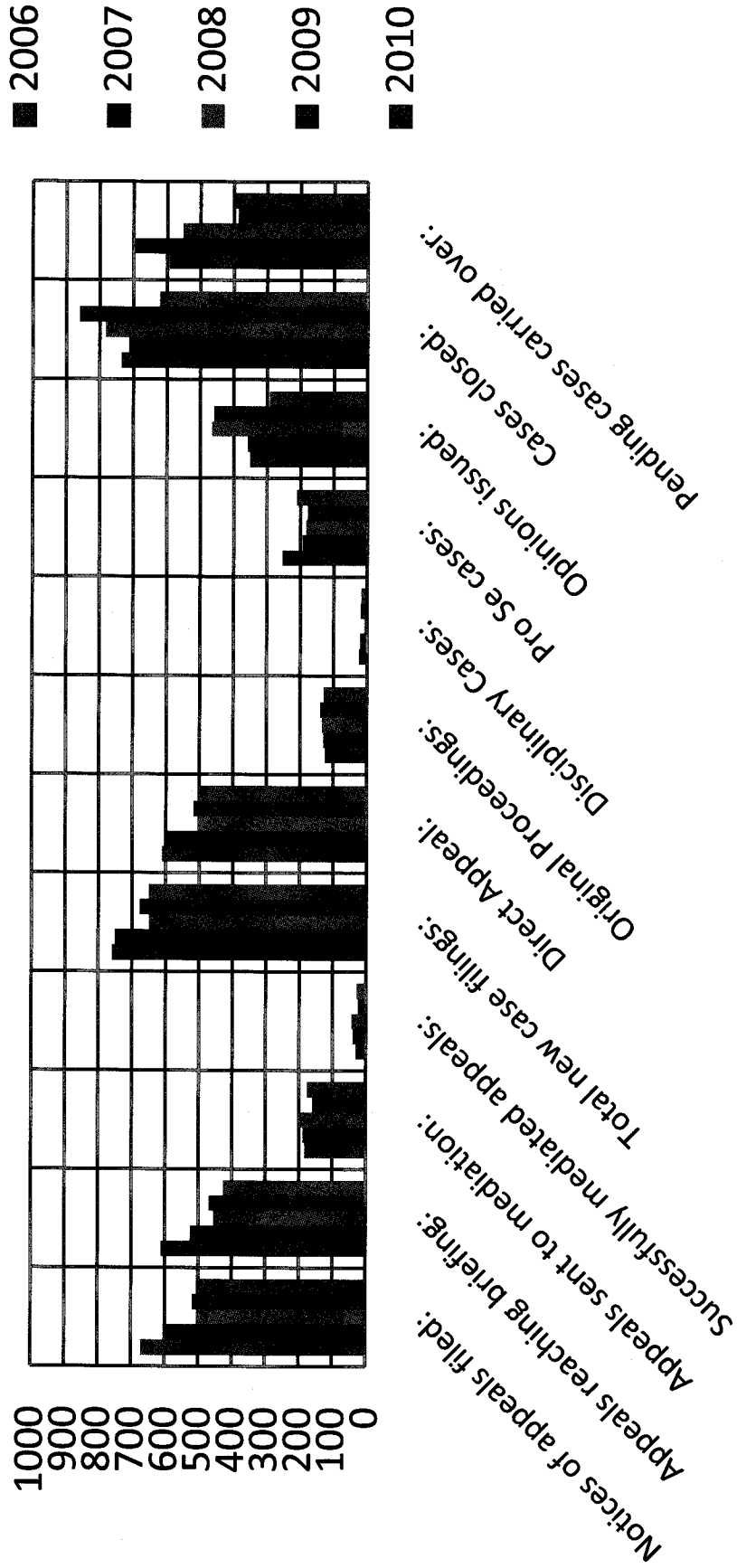
TO: Supreme Court Justices and Interested Parties  
FROM: Ed Smith, Clerk of the Supreme Court   
RE: 2010 Case Filing Statistical Reports

Attached are statistical reports, compiled by my office, for the 2010 Supreme Court caseload.  
They include:

- *Five Year Supreme Court Caseload Comparison*
- *Summary of Major Statistical Categories*
- *2009/2010 Annual Caseload Comparison Report*
- *New Filings Overview Report*
- *Pro Se Caseload Report*
- *Mediation Report*
- *Opinion Overview Report (2002-2010)*
- *Original Proceedings / Disciplinary Proceedings Report*
- *Dispositions Report*
- *Supreme Court Caseload Trends 1972-2010*

I hope you will find them useful. Please contact me if you have any questions or concerns in this regard.

## Supreme Court Caseload Five Year Comparison



**2010 - SUMMARY OF MAJOR STATISTICAL CATEGORIES**

Summary of the major statistical categories relating to the Supreme Court Caseload in the Year 2010:

Total number of notices of appeal filed:	504
Total number of appeals sent to mediation:	176
Total number of successfully mediated appeals:	27
Total new case filings:	650
Direct Appeal:	504
Civil Appeals:	336
Criminal Appeals:	168
Original Proceedings:	129
Disciplinary Cases:	17
Total number of Pro Se cases:	211
Total number of opinions issued:	292
Full Published Opinions:	187
Noncite opinions:	9
Noncite memorandum opinions:	88
Opinion and Orders:	8
Total number of cases closed:	629
Total number of pending cases carried over into 2011:	395

### ANNUAL CASELOAD COMPARISON REPORT

Below is a summary comparison of the major statistical categories relating to the Supreme Court Caseload between the years 2009 and 2010.

	2009	2010	Percentage Difference
Total notices of appeals filed:	518	504	- 2.70 %
Total number of appeals reaching briefing:	468	412	-11.96 %
Total number of appeals sent to mediation:	160	176	+10.00 %
Total number of successfully mediated appeals:	24	27	+12.50 %
Total new case filings:	677	650	- 3.98 %
Direct Appeal:	518	504	-2.70 %
Original Proceedings:	140	129	-7.85 %
Disciplinary Cases:	19	17	-10.52 %
Total number of Pro Se cases:	179	211	+17.87 %
Total number of opinions issued:	458	292	-36.24 %
Total number of cases closed:	861	629	-26.94 %
Total number of pending cases carried over:	387	395	+2.06 %

## **2010 NEW FILINGS OVERVIEW REPORT**

### **I. 2010 Caseload Overview: \***

New Civil Cases	429
Direct Civil Appeals: 283	
Original Proceedings: 129	
Disciplinary Cases: 17	
 New Criminal Filings	 143
(All Direct Appeals)	
 <u>Total:</u>	 <u>572</u>

### **II. 2010 Administrative Filings Overview:**

New Administrative Files:	2
New Professional Regulation	
(Non-Disciplinary):	3

### **III. Preliminary Appeals: \*\* 78**

Civil Appeals:	53
Criminal Appeals:	25

**TOTAL CASELOAD FOR 2010: 650**

**TOTAL MATTERS DOCKETED: 655**

\*Caseload numbers in this report reflect original proceedings, attorney disciplinary proceedings, and direct appeals in which the briefing schedule initiated. Reported in this fashion, these numbers remain in concert with the numbers historically reflected in this report.

\*\* This number reflects appeals which had been assigned a Supreme Court case number but where the appeal had not yet reached the briefing schedule by the end of the reporting period. Excluding this number from the caseload overview ensures the caseload numbers remain in concert with the numbers historically reflected.

Statistics compiled by the Office of the Clerk of the Supreme Court

**PRO SE CASELOAD REPORT**

2010 January - December

**A. PRO SE CASES:**

**1. Appeals**

- a. Civil: 100
- b. Criminal: 18

**2. Disciplinary Matters: 7**

**3. Original Proceedings: 86**

**TOTAL PRO SE FILINGS: 211**

**3. Percentage of Total**

- a. Pro Se as a percentage of Total Filings: **32.46%**  
(211 divided by 650)

**B. BREAKDOWN OF TYPES OF PRO SE FILERS:**

**1. a. Pro Se Inmate**

- 1. Civil Appeals: 26
- 2. Criminal Appeals: 14
- 3. Original Proceedings: 60

**TOTAL: 100**

**b. Percentage of Pro Se Inmate Filings**

- 1. Inmates as percentage of Total Pro Se: **47.39%**  
(100 divided by 211)
- 2. Inmates as percentage of Total Filings: **15.38%**  
(100 divided by 650)

**2. a. Non-Inmate Pro Se**

- 1. Civil Appeals: 74
- 2. Criminal Appeals: 4
- 3. Original Proceedings: 26
- 4. Disciplinary Matters: 7

**TOTAL: 111**

**b. Percentage of Non-Inmate Pro Se Filings**

- 1. Non-Inmate Pro Se as percentage of Total Pro Se: **52.60%**  
(111 divided by 211)
- 2. Non-Inmate Pro Se as percentage of Total Filings: **17.07%**  
(111 divided by 650)

## **2010 - MEDIATION CASES REPORT**

### **I. CATEGORIES:**

#### **1. DOMESTIC RELATIONS: 56**

Mediator appointed by:

Parties: 18

Clerk of Court: 38

Settled: 10

Not Settled: 31

#### **2. WORKERS' COMPENSATION: 6**

Mediator appointed by:

Parties: 3

Clerk of Court: 3

Settled: 1

Not Settled: 3

#### **3. MONEY JUDGMENTS: 114**

Mediator appointed by:

Parties: 32

Clerk of Court: 82

Settled: 16

Not Settled: 67

### **II. TOTALS:**

-Notices of Appeal received since **January 1, 2010: 504**

-Appeals sent to mediation since **January 1, 2010: 176**

-Cases settled since **January 1, 2010: 27**

-Cases not settled since **January 1, 2010: 101**

-Successfully mediated appeals since **January 1, 2010:**

a. Success percentage in relation to total notice of appeals filed: **5.35%**

b. Success percentage in relation to total appeals subject to mediation: **15.34%**

## OPINION OVERVIEW REPORT 2002-2010

### 2002

TOTAL OPINIONS ISSUED: 353

DISPOSITION TYPE:

Affirmed: 220  
Reversed: 82  
Affirmed & Reversed: 34  
Other: 17

### 2003

TOTAL OPINIONS ISSUED: 377

DISPOSITION TYPE:

Affirmed: 255  
Reversed: 67  
Affirmed & Reversed: 29  
Other: 26

### 2004

TOTAL OPINIONS ISSUED: 395

DISPOSITION TYPE:

Affirmed: 265  
Reversed: 58  
Affirmed & Reversed: 50  
Other: 22

### 2005

TOTAL OPINIONS ISSUED: 349

DISPOSITION TYPE:

Affirmed: 283  
Reversed: 31  
Affirmed & Reversed: 25  
Other: 10

### 2006

TOTAL OPINIONS ISSUED: 352

DISPOSITION TYPE:

Affirmed: 245  
Reversed: 51  
Affirmed & Reversed: 27  
Other: 29

### 2007

TOTAL OPINIONS ISSUED: 358

DISPOSITION TYPE:

Affirmed: 253  
Reversed: 53  
Affirmed & Reversed: 23  
Other: 29

### 2008

TOTAL OPINIONS ISSUED: 465

DISPOSITION TYPE:

Affirmed: 324  
Reversed: 69  
Affirmed & Reversed: 38  
Other: 34

### 2009

TOTAL OPINIONS ISSUED: 458

DISPOSITION TYPE:

Affirmed: 332  
Reversed: 55  
Affirmed & Reversed: 39  
Other: 32

### 2010

TOTAL OPINIONS ISSUED: 292

DISPOSITION TYPE:

Affirmed: 212  
Reversed: 46  
Affirmed & Reversed: 16  
Other: 18



**ORIGINAL PROCEEDINGS / DISCIPLINARY PROCEEDINGS REPORT**

2010 January - December

**I. 2010 Total Disciplinary Matters Filed - 17**

Attorney Discipline: 16  
Judge Discipline: 1

**II. 2010 Total Original Proceeding Filed - 129**

Certified Question: 2  
Petitions for Writ: 123  
Other: 4

**a. 2010 Petitions for Writ of Supervisory Control - 54**

Writ of Supervisory Control Denied: 44  
Writ of Supervisory Control Granted: 5  
Writ of Supervisory Control Dismissed: 3  
Writ of Supervisory Control Other: 0  
Writ of Supervisory Control Pending: 2  
(Pending as of December 31, 2010)

**b. 2010 Petitions for Writ of Habeas Corpus - 47**

Writ of Habeas Corpus Denied: 32  
Writ of Habeas Corpus Granted: 1  
Writ of Habeas Corpus Dismissed: 1  
Writ of Habeas Corpus Other: 0  
Writ of Habeas Corpus Pending: 13  
(Pending as of December 31, 2010)

## **2010 CASELOAD DISPOSITIONS REPORT**

Dispositions by Opinion/Remittitur in 2010 **304**

Civil Appeals: 192

Criminal Appeals: 112

Certified Questions: 0

Dispositions of Appeals by Dismissal **160**

Civil Appeals: 99

Voluntary: 60

Involuntary: 39

Criminal Appeals: 61

Voluntary: 30

Involuntary: 31

Dispositions of Appeals – Other: **9**

Civil Appeals: 4

Criminal Appeals: 5

Denials of Petitions for Out of Time Appeals: **9**

Civil Appeals: 6

Criminal Appeals: 3

Dispositions of Original Proceedings: **128**

Petitions Dismissed: 8

Voluntary: 4

Involuntary: 4

Certified Questions Dismissed: 1

Voluntary: 1

Involuntary: 0

Petitions Denied: 110

Petitions Granted: 7

Petitions – Other: 2

Dispositions – Disciplinary Cases: **19**

Attorney Disciplinary: 18

Judge Disciplinary: 1

**TOTAL DISPOSITIONS: 629**

# OFFICE OF THE CLERK OF THE SUPREME COURT

## *SUPREME COURT CASELOAD STATISTICS 1972-2010\*\**

<u>Year</u>	<u>Case Filings</u>	<u>Averages &amp; Percentage of Increase/Decrease (1975-2010)</u>	
1972	230		
1973	244		
1974	266		
1975	301	1972-1975 = 260.25	-----
1976	409		
1977	470		
1978	518*		
1979	477		
1980	490	1976-1980 = 472.8	181% Increase
1981	574*		
1982	522		
1983	561		
1984	567		
1985	639*	1981-1985 = 572.6	21% Increase
1986	602		
1987	571		
1988	628		
1989	633		
1990	633	1986-1990 = 613.4	7% Increase
1991	636		
1992	627		
1993	659*		
1994	633		
1995	580	1991-1995 = 627	2% Increase
1996	731*		
1997	729		
1998	731		
1999	706		
2000	868*	1996-2000 = 753	20% Increase
2001	909*		
2002	798		
2003	860		
2004	882		
2005	738	2001-2005 = 837	11.2% Increase
2006	760		
2007	676		
2008	598		
2009	627		
2010	572	2006-2010 = 647	-22.7% Decrease

\*Record-setting years for filings

\*\*Caseload numbers reflect original proceedings, attorney disciplinary proceedings, and direct appeals in which the briefing schedule initiated. Reported in this fashion, these numbers remain in concert with the numbers historically reported in this statistical overview.

Statistics compiled by the Office of the Clerk of the Supreme Court